

HAMILTON COUNTY BOARD OF COMMISSIONERS
MAY 10, 2004

The Hamilton County Board of Commissioners met on Monday, May 10, 2004 in the Commissioner's Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 1:15 pm. President Dillinger called the public session to order at 1:45 p.m. A quorum was declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes:

Holt motioned to approve the April 26, 2004 and April 30, 2004 minutes. Altman seconded. Altman stated there were a couple of typos that needed corrected. Motion carried unanimously.

Executive Session Memorandum:

Altman motioned to approve the Executive Session Memorandum of April 26, 2004 and May 10, 2004. Holt seconded. Motion carried unanimously.

Plat Approvals [1:47:33]

Centennial, Section 9, Block A Replat:

Fox Hollow at Geist, Section 2:

Mr. Tim Knapp requested approval of the plats for Centennial, Section 9, Block A Replat and Fox Hollow at Geist, Section 2. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Highway Business [1:50:03]

Road Cut Permits:

Mr. Jim Neal requested approval of Open Road Cut Permits: 1) RDCUT 2004-011 - Dotlich Contractors, Inc. - 1175 East 105th Street approximately 40' west of Combs Avenue to repair damaged/cut sanitary sewer lateral. 2) RDCUT 2004-012 - Majestic Residence Inc. - 140' south of 97th Street on North Augusta for storm sewer replacement. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-04-0043 - Travelers Casualty and Surety Company Street Opening Bond No. 104284831 issued on behalf of Indiana-American Water Company in the sum of \$5,000 for a water main bore under Cumberland Road to expire April 20, 2005. 2) HCHD #B-04-0044 - Travelers Casualty and Surety Company Street Opening Bond No. 104284832 issued on behalf of Indiana-American Water Company in the sum of \$5,000 for a utility drive for an electrical service area for the White River North Well Field, to expire April 20, 2005. 3) HCHD #B-04-0045 - Western Surety Company Permit Bond No. 14580695 issued on behalf of Majid Rastegar dba Majestic Residence, Inc. in the sum of \$10,000 along with a Rider changing the principal's name to Majestic Residence, Inc. to expire April 22, 2005. 4) HCHD #B-04-0046 - Western Surety Company Bond No. 14580715 issued on behalf of Majid Rastegar dba Majestic Residence, Inc. in the sum of \$5,000 along with a Rider changing the principal's name to Majestic Residence, Inc. to expire April 22, 2005. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Neal requested the release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-02-0062 - National Fire Insurance Company Bond No. 929259151 issued for Permit #WKROW-2002-145 for road improvements at 96th Street and College Avenue in Clay Township. 2) HCHD #B-03-0027 Fidelity and Deposit Company Performance Bond for T&R Pavement Markings, Inc. for year 2003. 3) HCHD #B-03-0026 - Fidelity and Deposit Payment Bond for T&R Pavement Markings, Inc. for year 2003. 4) HCHD #B-02-0024 Fidelity and Deposit Performance Bond for T&R Pavement Markings, Inc. for the year 2002. 5) HCHD #B-01-0057 Fidelity and Deposit Performance Bond for T&R Pavement Markings, Inc. for year 2001. 6) HCHD #B-00-0018 Fidelity and Deposit Contract Bond for American Timber Bridge and Culvert, Inc. for year 2000. 7) HCHD #B-00-0026 Fidelity and Deposit Performance Bond for T&R Pavement Markings, Inc. for year 2000. 8) HCHD #B-02-0023 Ohio Farmers Insurance Company Performance Bond for Shelly & Sands, Inc. for Category 2A for year 2002. 9) HCHD #B-01-0018 Ohio Farmers Insurance Company Performance Bond for Chemi-Trol Chemical Company for Category 8 for year 2001. 10) HCHD #B-01-0019 Ohio Farmers Insurance Company Payment Bond for Chemi-Trol Chemical Company for Category 8 for year 2001. 11) HCHD #B-01-0050 Ohio Farmers Insurance Company Performance Bond for Mar Zane Inc. for Category 2a for year 2001. 12) HCHD #B-00-0017 Ohio Farmers Insurance Company Performance Bond for Mar Zane for Category 2a for year 2000. 13) HCHD #B-02-0019 SAFECO Insurance Company Performance Bond for Marathon Ashland Petroleum for Category 3b for year 2002. 14) HCHD #B-01-0013 SAFECO Insurance Company Performance Bond for Marathon Ashland Petroleum for Category 3b for year 2001. 15) HCHD #B-02-0022 United States Fidelity and Guaranty Company Performance Bond for Irving Materials, Inc. for stone and gravel for 2002. 16) HCHD #B-02-0020 United States Fidelity and Guaranty Company Performance Bond for E&B Paving for Bituminous Mixtures for 2002. 17) HCHD #B-01-0015 United States Fidelity and Guaranty Company Performance Bond for E&B Paving for Bituminous Paving Mixtures for 2001. 18) HCHD #B-01-0016 United States Fidelity and Guaranty Company Payment Bond for E&B Paving for Bituminous Paving Mixtures for 2001. 19) HCHD #B-01-0053 United States Fidelity and Guaranty Company Performance Bond for Irving Materials for Aggregates for 2001. 20) HCHD #B-00-0013 United States Fidelity and Guaranty Company Performance Bond for Asphalt Materials, Inc. to supply Liquid Asphalt for 2000. 21) HCHD #B-00-0019 United States Fidelity and Guaranty Company Performance Bond for E&B Paving Bituminous Paving Mixtures for 2000. 22) HCHD #B-00-0033 United States Fidelity and Guaranty Company for Irving Materials, Inc. for suppliers bond for 2000. 23) HCHD #B-03-0018 Western Surety Company Supply Bond for American Timber Bridge & Culvert. 24) HCHD #B-02-0037 Western Surety Company Supply Bond for American Timber Bridge & Culvert. 25) HCHD #B-01-0014 Western Surety Company Supply Bond for American Bridge & Culvert. 26) HCHD #B-02-0025 Great American Insurance Company Supply Bond for United Rentals Highway Technologies, Inc. for Category 8. 27) HCHD #B-02-0021 Greenwich Insurance Company Performance bond for North American Salt Company. 28) HCHD #B-00-0014 North American Speciality Insurance Company Supply Bond for Chemi-Trol Chemical Company pavement markings for 2000. 29) HCHD #B-03-0017 St. Paul Fire and Marine Insurance Company Performance Bond for E&B Paving, Inc. for Category 2 Bituminous Mixtures 2003. 30) HCHD #B-01-0032 Erie Insurance Company Performance Bond for Wabash Ford/Sterling Truck Sales, Inc. for 2 Tri Axle Dump Trucks expiring February 15, 2002. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Letters of Credit - Highway Department:

Mr. Neal presented two Letters of Credit for signatures. These Letters of Credit were released on April 26, 2004, but were not signed. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Agreements [1:52:00]

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Subdivision Inspection Agreements

Fox Hollow at Geist, Section 3:

Mr. Neal requested approval of a Subdivision Inspection Agreement, HCHD #A-04-0008 for Fox Hollow at Geist, Section 3. The agreement is between Hamilton County and Precedent Residential Development (developer) and Hamilton County and Quandt (engineer). The agreement is in the not to exceed amount of \$10,000. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Streets [1:52:27]

West Carmel Center:

Mr. Neal requested acceptance of streets in West Carmel Center in Clay Township for a total of 0.18 miles. Altman motioned to approve. Holt seconded. Altman asked if this is in the annexed area that we are maintaining? Mr. Neal stated no. Motion carried unanimously.

Brooks Landing, Section 2:

Brooks Manor Subdivision:

Mr. Neal requested acceptance of streets in Brooks Landing, Section 2 and Brooks Manor Subdivision in Fall Creek Township for a total of 0.60 miles. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence: [1:53:20]

Mr. Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Letter from Susan E. Preble requesting a traffic signal modification at 96th Street and Cumberland Road (Mud Creek) in Delaware Township. The highway department recommended installation of five section heads for north and southbound traffic with left turn arrows. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Official Actions [1:52:44]

West Carmel Center:

Mr. Neal requested approval of an official action for installation of regulatory signs on Commerce Drive in West Carmel Center. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Brooks Landing, Section 2 & Brooks Manor:

Mr. Neal requested approval of an official action for installation of regulatory signs in Brooks Landing, Section 2 and Brooks Manor Subdivisions. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Condemnation of Parcels

Bridge #193:

Mr. Neal requested approval to begin condemnation proceedings for Parcel 03, 1/24th Interest Charles L. & Kristina M. Franklin for Bridge #193, 113th Street over Thorpe Creek in Fall Creek Township. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Request to Advertise

Rehabilitation of Bridge #134, Promise Road over Dry Run Creek:

Mr. Neal requested permission to advertise for the Rehabilitation of Bridge #134, Promise Road over Dry Run Creek and to sign the title sheet. Bid opening will be held June 28, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Federal Funding Update:

Mr. Neal stated they are in the process of completing the FA-3 to request federal funding for five highway projects. Mr. Neal stated they may need the President's signatures on the forms. Altman motioned to authorize President Dillinger to execute any and all documents necessary for the federal aid submission. Holt seconded. Motion carried unanimously.

Mr. Davis stated Hamilton County should be receiving the first installment of the \$1 million that was earmarked in a Congressional Bill. The first installment should be approximately \$580,000. The balance should be forwarded in June. These monies will be used for the 146th Street project.

Bid Opening [1:56:32]

Resurface Contract 04-3, Various Roads in Clay, Delaware and Nobleville Townships:

Mr. Howard opened the bids for Resurface Contract 04-3, Various Roads in Clay, Delaware and Nobleville Townships. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addendum (1) were included unless otherwise specified. 1) E&B Paving - \$441,335.36. Financial Statements are on file at the highway department. 2) Calumet Asphalt - \$405,004.93. 3) Harco Asphalt & Paving - \$528,816.02. 4) Rieth-Riley - \$470,555.00. 5) Grady Brothers - \$474,000.00. 6) Shelly & Sands - \$446,610.34. 7) Milestone Contractors - \$411,690.00. Mr. Howard recommended the bids be forwarded to the highway department for review and recommendation later today. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Housing Grant Consulting Services RFP: [2:01:08]

Mr. Troy Halsell stated the Noblesville Housing Authority published a Request for Proposals (RFP) for services to complete the consolidate plan. Three proposals were received. The costs were submitted in a separate, sealed envelopes, which Mr. Halsell presented to Mr. Howard. Mr. Halsell stated he has evaluated and rated all the proposals. Mr. Halsell stated BB Research & Consulting rated 100%, Indiana Association of Community Economic Development (IACED) rated 95% and Indiana Coalition of Housing and Homeless Issues rated 90%. Altman asked if the two firms from Indiana supply other governments and not for profits with substantial benefits with respect to consulting and other free items? Mr. Halsell stated both of the Indiana firms provide technical training and support throughout the state. Mr. Howard asked if the funding will be provided by a grant? Mr. Halsell stated yes, it will come out of the Community Development Block Grant to Hamilton County. It is anticipated to be released in October. The Noblesville Housing Authority will pre-pay that on behalf of Hamilton County and request to be refunded after October. Mr. Howard opened the cost envelopes BB & Consulting - \$44,780.00, IACED - \$33,100.00, ICHHI - \$27,000.00. Holt motioned to refer the costs to Mr. Halsell for evaluation and bring back to the Commissioners later today. Altman seconded. Motion carried unanimously.

Commissioner Committee Reports [2:08:29]

Metropolitan Planning Organization:

Altman stated she met with the Metropolitan Planning Organization (MPO) and discussed the issue on funding the planners in their budget. The local share of the budget was under \$500,000. They initially spread the costs based upon the population in the MPO. Altman suggested to Mr. Deering that we should look at who benefitted from the funding and population. We will look at it one more time. Altman stated she has introduced this to County Council and believes this is something important that Hamilton County should participate in. There is a possibility that the

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MPO could have a 50% increase on local planning. She suggested that for those entities that helped shoulder the costs that if there was extra staff time we could have some local work done in individual regional areas.

Administrative Assistant [2:10:03]

2005 Budget Instructions:

Mr. Swift presented the 2005 Budget Instructions to the Commissioners. All budgets have been frozen at the 2004 level. There will be no need for budget hearings this year. Altman stated the thought is that if our economic position improves the Council will hear additional appropriations and hold budget hearings when the county gets more money.

Galaxy American Communications Consent and Release:

Mr. Swift stated Longview Communications is a cable company that has acquired the assets of Galaxy American Communications, which services Adams Township. Longview Communications is requesting approval of the consent to transfer the cable franchise. Altman motioned to table until they can supply us with the franchise agreement or at a minimum what they think they are transferring. Holt seconded. Motion carried unanimously.

Aviation Board Appointment:

Mr. Swift stated an appointment for the Aviation Board was tabled after receiving a letter from Mr. Jacobi requesting a replacement for Paul Spranger. Altman motioned to appoint Brad Beaver. Due to the board members receiving a per diem Altman withdrew her motion. Dillinger motioned to appoint Jon Ogle. Holt stated he would like to give this appointment some thought. Holt motioned to table. Altman seconded. Motion carried unanimously.

Solid Waste Advisory Committee Appointments:

Mr. Swift stated the Commissioners have three appointments to the Hamilton County Solid Waste Advisory Committee. Letters have been sent to the other entities requesting their appointments to this committee. Altman asked if there was anything in statute that requires a specific class of occupation? Mr. Howard stated this Board has never been called together. They were involved when the Solid Waste District was created. Altman stated the statute requires the Committee to review the budget. Holt motioned to table. Dillinger seconded. Holt and Dillinger approved. Altman opposed. Motion to table carried.

Request to Use Facilities: [2:18:19]

Mr. Swift stated he has received a request from the Democratic Party to use the Commissioner's Courtroom on May 16, 2004 for their reorganization. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Mr. Swift stated St. Michael's Episcopal Church and the Noblesville Lion's Club would like to hold their annual activities on the courthouse lawn. The Episcopal Church holds a Strawberry Festival on June 19 and the Lion's Club holds a Pork Chop Festival on June 4. Altman motioned to approve. Dillinger seconded. Altman and Dillinger approved. Holt abstained.

Wage Determination Committee Appointment - Fishers:

Mr. Swift stated the Town of Fishers has requested an appointment to a Wage Determination Committee for a road widening project. Holt motioned to appoint Jonathan Valenta. Altman seconded. Motion carried unanimously.

County Government 4-H Tent Meeting:

Mr. Swift stated there is a County Government 4-H Tent Meeting on Thursday. Dillinger motioned to send Mr. Swift to attend the meeting for the Commissioners. Holt seconded. Motion carried unanimously.

Memorial Day Flag Display:

Mr. Swift stated the Noblesville Kiwanis Club will put flags around the square for Memorial Day.

Bid Award [2:22:18]

Resurface Contract 04-3:

Mr. Neal stated the bids for Resurface Contract 04-3 have been reviewed and they recommend Calumet Asphalt be awarded the bid. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Stone Benches Vandalized:

Mr. Swift stated the stone benches around the War Memorial were vandalized over the weekend. Mr. Swift has informed the Sheriff's Department. Mr. Swift stated he believes the damage was done by skateboarders.

Dillinger called a recess in the meeting. [2:24:22]

Dillinger called the meeting back to order. [2:51:45]

RFP Award - Housing Grant Consulting Services:

Mr. Halsell stated he has reviewed the costs for the Housing Grant Consulting Services and he recommends the RFP be awarded to Indiana Association of Community Economic Development to complete the consolidated plan. Altman motioned to accept Mr. Halsell's recommendation with respect to the housing consultant. Holt seconded. Motion carried unanimously.

Juvenile Detention Center Design Report: [2:52:37]

Mr. Joe Mrak, RQAW, representing the design team of RQAW and ACE, requested the Commissioner's approval of the design development phase of the Juvenile Detention Center project. Mr. Mrak stated design development is the second of three phases of a project. Mr. Mrak reviewed the current floor plan. There will be a total of 113 beds plus 16 beds that are being shelled out. This includes detention, probation violators, shelter care, maximum security and special management. The total square footage is 106,200 square feet. That number includes the shelled out area of the fourth detention pod. Structurally the building is a combination of load bearing masonry walls and steel framed over the non-secured areas. The secured portions of the building are utilizing a pre-cast concrete roof deck. We are using a VAV system, central boiler system, roof mounted air handling units with hot water and chilled water to those units. We have designed a mechanical system that is maintainable, energy efficient and easy to service. There will be a new 2,000 amp service to the building with an emergency generator with it's own fuel tank. We are using state of the art equipment for the electronics for door controls, lighting controls and watch tours. We have had a pre-review with the Department of Corrections and it was very favorable. Their comments were minor, they were detailed oriented. Food service was a big concern of theirs. They will review the plans on a official basis before we go to bid. We are in the process of setting up a pre-review with Division of Children and Family Services and the Board of Health. Altman asked if it would be prudent to remove the detailed schematics from public record for security issues? Mr. Howard asked if there was anything in the book that would allow someone to have inside information as to the security system? Mr. Mrak stated at this point, because the design is not complete it does not pose a security threat. The completed construction documents would be a security concern. Mr. Howard stated we would want to declare the construction documents as non-public records. Altman asked if Envoy has gone through the basic design and basic specs to see if we have completed these in the most cost-effective, most constructable manor? Mr. Dan Mayer stated Envoy has taken this information and looked at it from a value engineering standpoint and from a budgetary standpoint.

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From an engineering standpoint it looks appropriate to us. From a budget standpoint, there is a budget report in the book based on these plans, the target estimate is reduced within \$30,000 of the two options the Commissioners chose to reduce the area by during the schematic design phase. Once we estimate what we believe the project should come in at, we look at the bid mark and see how it could vary. Our high number is within our previous high number. We are using a conservative approach, with the recent increase in steel and gasoline prices we feel there is a high probability that the prices will come in higher. Altman stated some features are architecturally pleasing, are they pre-fabricated? Mr. Mayer stated most everything is very similar to what there now. It is pre-cast stone, brick and block. The shapes are normal. The quantity of the material gives a decent value. There is nothing that is outlandish. Altman asked if we have utilized skylights wherever possible in the non-secure areas? Mr. Mrak stated yes, there is a lot of natural light and borrowed light throughout the facility. None of the sleeping rooms have windows, we will be using borrowed light through the day rooms. Altman stated will the kids, who have rooms and don't have free access to common areas, have work areas for studying? Mr. Mrak stated yes. In the housing pod, each sleeping room has a desk and stool and all furniture is specially designed furniture. We are using a fiberglass type furniture with rounded edges especially designed for juvenile facilities. In addition to what is in the rooms, there is a day room immediately outside their sleeping room and then a common space outside of that. Altman asked if there are quiet spaces for homework or research? Mr. Mrak stated yes, there is a quiet room in every sub-day room. For every eight kids there is one quiet room. Altman stated the specs are pretty vendor specific, are your comfortable that the bidders will feel comfortable to look at comparable pricing on different products? Mr. Mrak stated yes, as far as the specifications included in the design development book, they are there to set a quality and a standard. Most of the vendors will have three or more manufacturers specified. There may be a couple of exceptions, when a product is unique in the market or uniquely suited for this. When we have anything of that nature it will be brought to the Commissioners attention. Altman asked if we have fiber going between the juvenile facility and the jail and fiber from the juvenile center out? Mr. Mrak stated yes. Altman asked if the wireless communications on locking has been tested? Is there any potential of jamming those electronic functions? Mr. Mrak stated there is some potential, the frequencies have been fine tuned. If there is a blocking of a frequency we will be able to use the hard wired system. Altman asked if everything will be duplicated in hard wiring for the locking facilities? Mr. Mrak stated yes. Altman motioned to direct the designers and planners to go to Phase 3 of the project. Holt seconded. Motion carried unanimously.

Animal Shelter: [3:11:42]

Mr. Dan Mayer asked if there is anything Envoy should be doing concerning the animal shelter at this time? Dillinger stated the Humane Society has not come to an executive summary conclusion.

Prosecutor's Expansion:

Mr. Mayer stated there has been no progress on the Prosecutor's expansion. Dillinger stated he thought Mr. Dawson was going to present recommendations of the spaces we looked at. Altman stated she and Holt looked at the highway department for space for the Planning Department and the more she thought about it, we will have more costs to retrofit, than what we are going to do here. Altman stated she spoke with Judge Hughes and he has significant staff issues and had planned on utilizing the reception area, effective June 1st. There is still plenty of room to do some temporary fixes. Dillinger asked if the Commissioners agree to proceed with the Prosecutor's expansion? Altman and Holt agreed. Holt stated it is contingent on Envoy getting us numbers, so we can do all of this at the same time. Holt asked if we should ask Fred and Larry to set a meeting for us to meet? Altman and Dillinger agreed.

Grant Finding Proposal:

Dillinger asked Mr. Howard what is happening with the grant finding proposal from Bobbie Huskey? Mr. Howard stated he will contact Ms. Huskey. Dillinger would like that put one of the next two meeting agendas.

Juvenile Detention Center Land Easements:

Mr. Howard presented two agreements associated with access to our new pond on the east side of SR 37. Pedcor Investments is building affordable housing in the area and had only put base on Presley Blvd. with the plan for finishing in approximately 60 days. Pedcor has completed the binder and the City of Noblesville has approved this construction other than surface. We now have a road we can drive on. It has not be dedicated for public use. The Easement Agreement states that Pedcor agrees to grant the county an easement up until it is a dedicated public road, upon the Noblesville Engineer's signing a letter that states the road has been built to specs. There are provisions that the streets will be washed on Fridays and we agree that there will be no trucks on the street that travel any higher than any public roads in the state. The second agreement is with the Mallery's for a 50' strip that the county is buying. The county has agreed that we will install a farm fence or it's equivalent around that site and to separate it. In the event that Presley Blvd. is extended the county would dedicate the land as part of the extension so it would go through the Mallery's property. Holt motioned to approve the easement agreement. Altman asked if there is any residential on this route that is completed? Mr. Howard stated there are apartments on the western boundary, which have one access point. Motion carried unanimously.

Mallery Easement Agreement:

Mr. Howard requested approval of a letter agreement with the Mallery's that the county would construct a fence to separate the land that was conveyed to the county. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Sheriff

Radio Towers:

Sheriff Carter updated the Commissioners regarding the radio issues. He has met with representatives of MA-Com. Representatives from every public safety agency were present. They were very pleased with the response. MA-Com will send someone here once a month. Mr. Howard stated the board has been replaced at the Sheridan station, at no cost and that problem has not reoccurred since the replacement. We believe it was a hardware issue and the system is moving fine. It is a non-reoccurring issue. Holt asked if we are still withholding payment? Sheriff Carter stated yes.

Public Hearing [3:25:18]

Ordinance 5-10-04-A, Establishment of Cumulative Courthouse Fund:

Dillinger opened the public hearing for Ordinance 5-10-04-A, Establishment of a Cumulative Courthouse Fund. No public comments. Dillinger closed the public hearing. Altman motioned to adopt Ordinance 5-10-04-A. Holt seconded. Motion carried unanimously.

Ordinance 5-10-04-B, Economic Development Fee:

Mr. Howard stated in 1998, Hamilton County approved an ordinance approving an Economic Development Fee of \$50.00 per lot with the funds used to fund the economic development of Hamilton County. The ordinance expires on September 1, 2004. Ordinance 5-10-04-B will extend the ordinance effective September 1, 2004 through September 1,

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2007. Altman motioned to waive the rules to adopt the recertification of Ordinance 5-10-04-B. Holt seconded. Motion carried unanimously. Altman motioned to adopt Ordinance 5-10-04-B, An Ordinance Amending Ordinance 9-10-01-A, Authorizing and Establishing a Special Economic Development Charge to be Collected from the Owners and/or Developers or Residential Real Estate. Holt seconded. Motion carried unanimously.

Senior Citizens Lease:

Dillinger asked Mr. Howard what the status is on the Senior Citizens Lease? Mr. Howard stated we do have the legal descriptions and it will be on the next agenda.

Humane Society Interlocals: [3:29:33]

Altman asked Mr. Howard what the status is of the Humane Society Interlocal Agreements? Mr. Howard stated they have been mailed, we have not received any response back. Altman asked that this item be put on the next agenda to see what response we have had. If we have not received any response, we need to send notice out and bill based upon the prior agreement and then terminate them if they don't want to participate.

Auditor [3:30:33]

Congressional School Report:

Ms. Robin Mills requested approval of the 2004 Congressional School Report. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claim:

Ms. Mills requested approval of the Liability Trust Claim payable to Walker & Associates in the amount of \$909.00 for the premium of the Fiduciary Policy for the Employee Benefit Trust. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Clerk of the Circuit Court Monthly Report:

Ms. Mills requested approval of the Monthly Report of the Clerk of the Circuit Court for March 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Capital Asset Notification:

Ms. Mills requested approval of a Capital Asset Notification Form for the acquisition of a building for Morse Beach. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2004-00023 - Developers Surety and Indemnity Company Performance Bond No. 889144P for the ditch relocation of the Wheeler & Wheeler drain at the Emmanuel United Methodist Church in the amount of \$45,000.00. 2) HCDB-2004-00023A - Developers Surety and Indemnity Company Performance Bond No. 889144P for the ditch relocation of the Wheeler & Wheeler drain at the Emmanuel United Methodist Church in the amount of \$45,000.00. (Rider adding the name of the Wheeler & Wheeler drain to the Surety). Altman motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested the release of a Letter of Credit for the Drainage Board: 1) HCDB-2003-00003 - Union Planters Bank Irrevocable Standby Letter of Credit No. L99353 for Camden Walk Subdivision - storm sewers, monuments and markers, subsurface drains and erosion control in the amount of \$170,824.00. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of the Payroll Claims for the period of April 12-25, 2004 to be paid May 7, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of the Vendor Claims to be paid May 11, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Lantern Road Home:

Dillinger stated he has received the letter from Brett and Kathy Ransford concerning the house on Lantern Road that we have dealt with several times. Mr. Howard stated he thought Mr. Kiphart was moving forward. Holt asked that this be referred to Mr. Kiphart and report to us at the next meeting.

Drain Bills: [3:35:11]

Altman stated the drain bills are being sent separately. She has received more complaints this year about the drainage bills, showing late charges, etc. We are using the same form, why are we not combining them with property tax bills? It does not make sense to generate all of this paper for \$12.50 a half, Manatron is now going to honor their contract and write software for the drainage billing. Holt stated we need the Surveyor for this conversation. Altman stated she just wanted to see if anyone else has received any complaints. Dillinger stated he and Kent will have that discussion.

Retreat:

Dillinger stated the County Council has talked about having a joint retreat with the Commissioners. Dillinger asked that everyone check their calendars for available dates and make a list of topics. Dillinger suggested the topics of Juvenile Detention Center and Humane Society. Altman suggested to begin the conversations of expanding the Judicial Center and look at when bonds begin to fall off. Mr. Howard stated he thinks the bonds fall off in 2013. We have looked at doing a wrap-around on the Juvenile Detention Center, but if we do that it would be more expensive. City Securities has recommended that was an alternative we would look at for the Juvenile Detention Center.

City and Towns Dinner Meetings:

Dillinger stated he has received favorable response to his letters asking if the cities and towns would like to re-institute the dinner meetings with county representatives. Dillinger asked the Commissioners to check their calendars for possible dates for this meeting.

Cicero Joint Session:

The Commissioners discussed joint meetings with the Town Boards of Westfield, Cicero, Arcadia and Atlanta. Holt will contact Cicero, Arcadia and Atlanta.

Altman motioned to adjourn. Holt seconded. Motion carried unanimously. [3:40:52]

Commissioners Correspondence

Hamilton County Solid Waste District Letter requesting Appointments

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Carmel Board of Zoning Appeals Notice of Public Hearing:

Cherry Creek Estates

Beam, Longest and Neff Notice of Transmittals:

Structure #31058, Lamong Road over McKinzie Ditch

IDEM Notice of Sewer Permit Applications:

Ballantrae Subdivision - Carmel

Village of West Clay, Section VO2-A - Carmel

Springmill Commons - Westfield

Fishers Trade Center, Phase Four - Fishers

IDEM Notice of Appeal Rights:

Village of West Clay, Section VO2-A - Carmel

Village of West Clay, Sterkx Building - Carmel

126th Street Lift Station Phase One Force Main - Carmel

Lift Station No. 2 Upgrade and Force Main Project - Carmel

HAMILTON COUNTY BOARD OF COMMISSIONERS
MAY 10, 2004

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ATTEST:

Robin M. Mills, Auditor